

Translation

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PATENT COOPERATION TREATY

PCT/FR2003/003053



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 345285/D20676	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/FR2003/003053	International filing date (day/month/year) 16 octobre 2003 (16.10.2003)	Priority date (day/month/year) 16 octobre 2002 (16.10.2002)
International Patent Classification (IPC) or national classification and IPC C07D 307/86, 307/94, 405/12, 213/48, C07C 47/548, 47/55, A61K 31/343, A61P 25/18		
Applicant PIERRE FABRE MEDICAMENT		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 4 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 17 mai 2004 (17.05.2004)	Date of completion of this report 26 August 2004 (26.08.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/FR2003/003053

I. Basis of the report

1. This report has been drawn on the basis of *(Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.)*:

☐ the international application as originally filed.

☒ the description, pages 1-30, as originally filed,
 pages _____, filed with the demand,
 pages _____, filed with the letter of _____,
 pages _____, filed with the letter of _____.

☒ the claims, Nos. 1-6, as originally filed,
 Nos. _____, as amended under Article 19,
 Nos. _____, filed with the demand,
 Nos. _____, filed with the letter of _____,
 Nos. _____, filed with the letter of _____.

☐ the drawings, sheets/fig _____, as originally filed,
 sheets/fig _____, filed with the demand,
 sheets/fig _____, filed with the letter of _____,
 sheets/fig _____, filed with the letter of _____.

2. The amendments have resulted in the cancellation of:

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/fig _____

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

4. Additional observations, if necessary:

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/FR 03/03053

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-6	YES
	Claims		NO
Inventive step (IS)	Claims	1-6	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-6	YES
	Claims		NO

2. Citations and explanations

The following documents, cited in the international search report, have been considered to be relevant to the examination of the present application. The numbering given below will be used throughout the rest of the procedure:

- (1) WO-A-99 58527;
- (2) WO-A-00 58282 (cited in the application);
- (3) WO-A-99 51575 (cited in the application);
- (4a) JP-A-05 125024 (cited in the application).

1. Novelty

None of the claimed compounds, which are useful for treating schizophrenia, is described in the aforementioned documents. It follows that the application as claimed is novel over the content of documents (1)-(4a).

2. Inventiveness

As the applicant pointed out correctly in the description of the application, document (4a) is the closest prior art.

In view of the tables in document (4a), it appears that the claimed compounds are not suggested in (4a) and that the application as claimed can therefore be considered to be inventive over (4a).

3. Observation with respect to form

- 3.1 When the application enters the regional phase, document (1) should be cited and discussed in the description.